

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	INDICTMENT NO. 05-10039-NG
	)	
ARCENIO POCHE-CHACON	)	
aka ANDRES DEL ROSARIO ALAYON	)	

**DEFENDANT'S ASSENTED TO MOTION TO CONTINUE**  
**STATUS HEARING**

Arcenio Poche-Chacon (the "Defendant"), in the above-numbered Indictment and through Counsel, moves this Court to continue the status hearing on this matter currently scheduled for September 10, 2007.

In support of this motion the defendant's counsel states that as of the last status conference, the Government agreed that the defendant qualified for a safety valve status in this case. Defendant's counsel needs additional time, due to the need for an interpreter, to fully explain the ramifications of this decision to the defendant. Since the last hearing counsel has not been able to get to the institution with a court interpreter and using other inmates, which is a common practice at Plymouth, is an unacceptable manner in which to interview the defendant about these matters. As such, defense counsel requests a short continuance for a status hearing, hopefully sometime next week, that the defendant be brought to the courthouse so that counsel can speak with him through a court interpreter and possibly convert the status hearing into a Rule 11 hearing.

Respectfully submitted,  
ARCENIO POCHE-CHACON,

By his Counsel:

‘/s/Walter H. Underhill, Esquire’  
WALTER H. UNDERHILL  
66 Long Wharf  
Boston, Massachusetts 02110  
(617) 523-5858

DATED: September 10, 2007

***SPEEDY TRIAL WAIVER***

The defendant agrees that the time from September 10, 2007 until the next scheduled hearing date is excludable time under the Speedy Trial Act and hereby waives said period of time.

SIGNED: ‘/s/Walter H. Underhill, Esquire’  
WALTER H. UNDERHILL, ESQ.

**RULE 7.1 CERTIFICATION**

The parties have had an opportunity to confer on this motion and the motion is assented to by the attorney for the Government, Paul Moore, Esquire.

SIGNED: ‘/s/Walter H. Underhill, Esquire’

DATE: September 10, 2007